

SENATE BILL 53

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5lr1173

(PRE-FILED)

By: **Senator Bailey**

Requested: October 10, 2024

Introduced and read first time: January 8, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Commercial Crab Harvest – Start Time**

3 FOR the purpose of requiring the Department of Natural Resources to adopt regulations
4 authorizing a tidal fish licensee who is authorized to catch crabs to begin catching
5 crabs at a certain time during certain months; and generally relating to tidal fish
6 licensees and crab harvests.

7 BY repealing and reenacting, with amendments,
8 Article – Natural Resources
9 Section 4–803
10 Annotated Code of Maryland
11 (2023 Replacement Volume and 2024 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Natural Resources**

15 4–803.

16 (a) The Department may adopt rules and regulations to effectuate the following
17 purposes:

18 (1) To restrict catching and possessing any blue crab;

19 (2) The methods by which crabs are taken;

20 (3) To close or open any specified area to catch crabs;

21 (4) To prohibit or restrict devices used to catch crabs;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(5) To establish seasons to catch crabs;

(6) To establish that the workday for tidal fish licensees who catch crabs using trotline gear may begin earlier than 1 hour before sunrise; and

(7) To establish minimum size limits for hard, soft, and peeler crabs. [However, this section does not permit the Department to change existing license fees for catching, picking, canning, packing, or shipping cooked hard or soft crabs or crab meat; or for selling, or shipping live hard or soft crabs by barrel or crate. The Department may set license fees on types of gear or equipment if not otherwise set by law.]

(b) (1) The Department may not adopt regulations to:

(i) Restrict a tidal fish licensee who catches crabs using trotline gear to a workday of less than 8 hours per day, excluding time spent setting or taking up gear; or

(ii) Establish time restrictions on a tidal fish licensee using trotline gear for setting and taking up gear.

(2) Except as provided in subsection (c) of this section, if the Department authorizes the workday to begin earlier than 1 hour before sunrise, then:

(i) The Department may not adopt regulations to restrict a tidal fish licensee who catches crabs using trotline gear to a workday of less than 11 hours per day, including time spent setting or taking up gear; and

(ii) Trotline gear may not be set earlier than the catch time established by the Department.

(c) The Department shall adopt regulations that authorize a tidal fish licensee who is authorized to catch crabs [using]:

(1) USING all legal gear to work 1 additional early hour on Labor Day, Memorial Day, July 4, and the day before each of these holidays in a license year; AND

(2) TO BEGIN CATCHING CRABS AT LEAST 4 HOURS BEFORE SUNRISE FROM JULY 1 THROUGH SEPTEMBER 30, INCLUSIVE.

(d) (1) THIS SECTION DOES NOT AUTHORIZE THE DEPARTMENT TO CHANGE EXISTING LICENSE FEES FOR:

(I) CATCHING, PICKING, CANNING, PACKING, OR SHIPPING COOKED HARD OR SOFT CRABS OR CRAB MEAT; OR

1 **(II) SELLING OR SHIPPING LIVE HARD OR SOFT CRABS BY**
2 **BARREL OR CRATE.**

3 **(2) THE DEPARTMENT MAY SET LICENSE FEES ON TYPES OF GEAR OR**
4 **EQUIPMENT IF NOT OTHERWISE SET BY LAW.**

5 **(E) (1)** The Department's regulations may not become effective under this
6 section until the Department first holds public hearings.

7 **(2)** The Department shall advertise the time, place, and purpose of the
8 hearings in one newspaper of general daily circulation in the State, and at least in one
9 newspaper circulated in the affected region of each county whose waters may be directly
10 affected by the proposed regulations at least once per week for 2 successive weeks in
11 advance of the hearings.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
13 1, 2025.